

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Wiley E. Bridgeman,)	
)	
Plaintiff,)	Case No. 1:07-CV-895
)	
vs.)	
)	
Southern Ohio Correctional)	
Institute, <u>et al.</u> ,)	
)	
Defendants.)	

O R D E R

This matter is before the Court on Magistrate Judge Hogan's Report and Recommendation (Doc. No. 16) recommending that Plaintiff Wiley E. Bridgeman's motion for default judgment and for summary judgment (Doc. No. 14) be denied.

On February 29, 2008, Plaintiff moved for default judgment and/or for summary judgment against Defendant Copas, a correctional officer, for failure to answer or otherwise plead. Doc. No. 14. As Magistrate Judge Hogan correctly explained in his Report and Recommendation, Plaintiff is not entitled to default judgment because Defendant Copas was not served with the summons and complaint. It appears that Plaintiff's service difficulties were caused by Plaintiff's inability to identify the correct Officer Copas to serve because there is more than one Officer Copas at Southern Ohio Correctional Facility. It further appears, however, that Magistrate Judge Hogan has ironed out these problems and has ordered the Marshals Service to serve the correct Officer Copas. See Docs. 16-21. Nevertheless, Plaintiff is not entitled to default judgment or summary judgment at this time.

Accordingly, the Court **ADOPTS** Magistrate Judge Hogan's Report and Recommendation to the extent it recommends denying Plaintiff's motion for default judgment and/or summary judgment. Plaintiff's motion for default judgment and/or summary judgment is not well-taken and is **DENIED**.

IT IS SO ORDERED

Date May 29, 2008

s/Sandra S. Beckwith
Sandra S. Beckwith, Chief Judge
United States District Court